

persons shall be disqualified and shall not be appointed guardians and providing for the appointment of guardians for persons entitled to receive funds from the State and/or Federal Government and providing for the appointment of guardians of estates of persons adjudged insane or habitual drunkards by courts of competent jurisdiction in other states and territories of the United States; and by amending Article 4128 of Chapter 3 of said Title 69 relating to the termination of guardianships, and providing for the termination of guardianship proceedings brought for the purpose of receiving funds from the State and/or Federal Government; and by amending Articles 4228 and 4229 of Chapter 10 of said Title 69 providing for the acceptance of resignations of guardians and the appointment of successor guardians upon the death, resignation or removal of guardians; and by amending Article 4272 of Chapter 12 of said Title 69 providing for the appointment of guardians of persons adjudged insane or habitual drunkards after the issuance and service of process as therein provided; and making further and additional provisions as to evidence required for the appointment of guardians to receive funds from the State and/or Federal Government; and making further additional provisions for waiving court costs and fees in certain cases; and for other purposes; and declaring an emergency."

By unanimous consent, the resolution was considered and adopted at this time.

Reports of Standing Committees

Senator Weinert, by unanimous consent, submitted at this time the following report:

Senate Chamber,
Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 504, A bill to be entitled "An Act requiring employers to protect the contractual and/or seniority rights of employees entering military service; making certain exceptions; defining 'Employer of Labor'; providing penalties for the violation of this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Sulak, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 901, A bill to be entitled "An Act making it unlawful to offer for sale eggs which have been placed in an incubator for hatchery purposes without labeling such eggs as 'incubator eggs'; providing a penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

SULAK, Chairman.

Adjournment

On motion of Senator Metcalfe, the Senate, at 12:15 o'clock p. m., adjourned until 10:00 o'clock a. m. Monday, June 16, 1941.

SEVENTY-SEVENTH DAY

(Monday, June 16, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Graves

Spears

A quorum was announced present.

The invocation was offered by Rev. S. B. Culpepper, Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of the seventy-sixth legislative day was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Graves was granted leave of absence for today on account of important business, on motion of Senator Mauritz.

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Vick.

Resolution of Texas Press Association

Senator Moore submitted at this time the following resolution of the Texas Press Association, which was read to the Senate:

Whereas, S. B. No. 9, sometimes referred to as the Fair Trade Act, now pending has been declared by the office of the Attorney General to be in direct contravention of the time-tried anti-trust laws from which Texans have always benefited; and

Whereas, Passage of this bill will result in the serious impairment of these said anti-trust laws according to the opinion delivered by the Attorney General, leaving the consumers of Texas open to price-rigging exploitation by Eastern manufacturers and combinations of wholesalers and retailers now forbidden by the existing anti-trust laws; now, therefore be it

Resolved, That the Texas Press Association does respectfully petition the Senate of the State of Texas to protect these anti-trust laws by amending the Fair Trade bill, if in its judgment it sees fit to pass said bill, in such fashion that the consumers of Texas will not be completely stripped of the benevolent protection wrought many years ago by a previous legislature at the behest of the late great Governor, James Stephen Hogg; and be it further

Resolved, That a copy of this resolution be sent to the President of

the Texas Senate, and to each individual Member thereof with an earnest request for consideration.

On motion of Senator Moore, the resolution was ordered printed in the Journal.

Senate Bill 505 on First Reading

Senator Lanning moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Graves

Spears

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

By Senator Lanning:

S. B. No. 505, A bill to be entitled "An Act to aid Wise County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioner's precincts of said county, to aid in projects sponsored by Wise County, Texas, in cooperation with Federal Works Progress Administration or its successors and for general relief and rehabilitation purposes; authorizing the Commissioners' Court of Wise County, Texas, to issue short term bonds, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of the moneys donated; defining certain conditions within said county to constitute a public calamity and declaring an emergency; providing that if any Section, Subsection, paragraph, clause, sen-

tence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portions, despite any partial invalidity."

Senate Resolution 166

Senator Hazlewood offered the following resolution:

Whereas, H. G. Hamrick, a prominent citizen of the city of Amarillo, Texas, is present in Austin and is now in the Capitol on this 16th day of June, 1941, observing the operations of government; now, therefore, be it

Resolved by the Senate of Texas, That there be extended to this visitor a cordial welcome to his Capitol and that the privileges of the floor be extended to him.

The resolution was read and was adopted.

Senate Concurrent Resolution 79

Senator Moffett offered the following resolution:

S. C. R. No. 79, Relating to Federal cooperation in cotton research.

Whereas, S. B. No. 403, establishing a cotton research laboratory in Texas, has passed both branches of the Legislature, and has been signed by the Governor; and

Whereas, Said bill authorizes and invites Federal cooperation in this useful purpose; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That request is hereby made of the U. S. Congress to appropriate a sufficient amount of money from the Federal treasury to match the appropriation by the State of Texas in the establishment of cotton research facilities in Texas, the largest cotton producing State, and the State where the export surplus is likely to accumulate in the greatest volume, and thereby create additional serious economic dislocations; and be it further

Resolved, That the Secretary of the Senate be instructed to send copies of this resolution to the members of the Texas delegation in the United States Congress.

MOFFETT,
FORMBY.

The resolution was read.

On motion of Senator Moffett and by unanimous consent, it was considered immediately.

The resolution was adopted.

House Bill 1082 on Second Reading

Senator Metcalfe moved that the regular order of business be suspended to permit consideration of H. B. No. 1082 at this time.

The motion prevailed by the following vote:

Yeas—24

Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—4

Aikin	Martin
Lovelady	Winfield

Absent

Shivers

Absent—Excused

Graves

Spears

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1082, A bill to be entitled "An Act to amend H. B. No. 146, Acts of the Forty-seventh Legislature of Texas, authorizing the commissioners' court in all counties in the State of Texas to appropriate from the General Fund not more than five-cents (5c) on the One Hundred (\$100.00) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties; and providing for an election authorizing such appropriation and creating and providing for an election authorizing such appropriation and creating and providing for the appointment of a Board of Development devoted to the growth, advertisement, and development of such counties; providing said appropriations to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated; prescribing certain duties for said

Board; making the Act cumulative of other laws authorizing such counties to appropriate such money; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 1082 by inserting a new Section to be numbered to read as follows:

"The authority to levy the tax provided for herein, shall be restricted to counties of more than one hundred thousand (100,000) population, according to the most recent U. S. Census."

Amend the caption to conform.

MOFFETT,
BECK.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1082 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1082 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—2

Martin	Winfield
--------	----------

Absent

Shivers

Absent—Excused

Graves	Spears
--------	--------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—2

Martin	Winfield
--------	----------

Absent

Shivers

Absent—Excused

Graves	Spears
--------	--------

Conference Committee on House Bill 963

Senator Hill called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 963.

Senator Hill moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Hill, Mauritz, Lemens, Smith and Winfield.

House Bill 796 on Passage to Third Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up on its passage to third reading (the bill having been read second time on May 29, 1941):

H. B. No. 796, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by amending portions of, repealing portions of and adding new Sections to Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by

H. B. No. 8, Acts of the Third Called Session of the Forty-fourth Legislature, and by H. B. No. 5, etc.; providing for regulation of marketing practices; establishing penalties; providing savings clauses; and declaring an emergency."

With the following amendment by Senator Hill pending:

Amend H. B. No. 796, Section VI-A, paragraph 4, by adding a new subsection to be identified and lettered "j" on page 24 to read as follows:

"(j) It shall be unlawful for any person, firm, or corporation to employ any woman or women in any capacity, with or without compensation, in a liquor package store. Provided the provision of this Section shall not apply to female relatives of the licensee when related within the second degree by affinity or consanguinity and such relatives are not less than eighteen years of age."

Question—Shall the amendment be adopted?

The amendment was lost.

On motion of Senator Moffett, the caption was amended to conform to the body of the bill.

The bill was passed to third reading.

House Bill 796 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 796 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Nays—1

Sulak

Absent—Excused

Graves

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Smith
Hazlewood	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	Winfield
Lovelady	York
Martin	

Nays—3

Hill
Sulak

Weinert

Absent

Beck
Isbell

Shivers

Absent—Excused

Graves

Spears

Report of Conference Committee on House Bill 963

Senator Hill submitted the following report of the Conference Committee on H. B. No. 963:

Hon. Coke R. Steyenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on H. B. No. 963, have met and beg leave to recommend that said H. B. No. 963 be passed in the form attached hereto:

Respectfully signed,

MANNING,
ALSUP,
ALLISON,
STUBBS,
HUMPHREY,

On the part of the House;

HILL,
MAURITZ,
LEMENS,
SMITH,

On the part of the Senate.

H. B. No. 963, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the sum of One Thousand (\$1,000) Dollars to the Eddins Common School District No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public schoolhouse within the district; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That there is hereby appropriated out of the State General Revenue Fund, the sum of One Thousand (\$1,000) Dollars, to the Eddins Common School District No. 62, Shelby County, Texas, to be used by said School District for the purpose of rebuilding a public school building within said school district.

Sec. 2. In making this appropriation, the Legislature deems there is an emergency now existing in said school district because the schoolhouse situated in said school district has recently been destroyed by fire, and said school district has not, and shall not have in the future, sufficient funds available to rebuild and equip another proper schoolhouse within the district.

Sec. 3. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring that all bills be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senator Hill moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Fain	Smith
Formby	Stone
Hazlewood	Sulak
Hill	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—1

Cotten

Absent

Isbell Shivers
Kelley

Absent—Excused

Graves Spears

Report of Conference Committee on House Concurrent Resolution 223

Senator Martin submitted the following report:

Committee Room,
Austin, Texas,
June 16, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House on H. C. R. No. 223, the same being the question of recess and sine die adjournment, have met and beg to report that the committee has been unable to agree; and requests that it be discharged.

MARTIN,
BROWNLEE,
LOVELADY,
FAIN,
ISELL,

On the part of the Senate;

TAYLOR,
MORSE,
KENNEDY,
CROTHWAIT,
CARLTON,

On the part of the House.

The report was adopted.

Messages from the Governor

The President laid before the Senate, and had read, the following messages from the Governor:

Austin, Texas,
June 16, 1941.

To the Senate of the Forty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be Members of the Texas State Parks Board, terms to expire May 15, 1947 (six year terms):

Raymond Dillard of Mexia, Lime-stone County;

T. C. Ashford of Maud, Bowie County.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

Austin, Texas,
June 16, 1941.

To the Senate of the Forty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be a Member of the Texas Prison Board for a six year term expiring February 2, 1947:

Gaylord J. Stone of Fort Worth, Tarrant County.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

Austin, Texas,
June 16, 1941.

To the Senate of the Forty-seventh Legislature.

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be a Member of the Board of Medical Examiners, term to expire April 13, 1943:

Dr. W. C. Morrow of Greenville, Hunt County.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

The messages were referred to the Committee on Nominations of the Governor.

Bills and Resolution Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolution:

S. B. No. 429, A bill to be entitled "An Act relating to marks and brands of livestock in Victoria County only; amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new Section to be known as Article 6899d requiring that in said county each owner of any livestock mentioned in Chapter 1, of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six months after this Act takes effect, have his mark and brand for such stock recorded at the office of the county clerk of said

county; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the record made after this Act shall be effective and considered the recorded marks and brands in said county; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in the county for a period of thirty (30) days; and declaring an emergency."

S. B. No. 476, A bill to be entitled "An Act transferring to the State Highway Fund all unexpended and unobligated balances of appropriations made to the Department of Public Safety for use in paying salaries and other costs of operating the Certificates of Title Division of the Department of Public Safety for the use of the Highway Department, etc.; and declaring an emergency."

H. C. R. No. 238, Authorizing the recall of H. B. No. 971 from the Governor's office.

House Bill 898 on Final Passage

Senator Chadick called up for consideration at this time the motion to reconsider the vote by which H. B. No. 898 was passed.

The motion to reconsider prevailed.

The President then laid H. B. No. 898 before the Senate on its final passage.

Senator Chadick offered the following amendments to the bill:

(1)

Amend H. B. No. 898 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Article 122 of the Penal Code of the State of Texas, 1925, is hereby amended so as to hereafter read as follows:

"Article 122. Plumbing Without License. Any person, whether as a master plumber, employing, or journeyman plumber, engaged in, working at, or conducting the business of plumbing without license as provided by law, shall be deemed guilty of a misdemeanor and upon conviction

thereof shall be fined in any sum not to exceed \$100.00"

Sec. 2. The fact of the crowded condition of the calendar and the nearness of the end of the session, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days, be, and the same is hereby suspended and that this Act shall take effect and be in force immediately from the date of its passage, and it is so enacted.

(2)

Amend H. B. No. 898 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled an Act amending Article 122 of the Penal Code of the State of Texas, 1925; and declaring an emergency."

The amendments were adopted unanimously.

The bill was passed by the following vote:

Yeas—26

Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Nays—1

Aikin

Absent

Beck Shivers

Absent—Excused

Graves Spears

Communication from District Attorney of Harrison County

Senator Hill submitted at this time the following communication, which was read to the Senate:

Marshall, Texas,
June 16, 1941.

Senator Joe Hill, Austin, Texas.

Recommend and strongly urge that drunk driving bill be passed over Governor's veto. Feel that new bill

will facilitate prosecutions and result in more convictions.

STANLEY TIMINS,
Criminal District Atty.,
Harrison County.

Senator Hill moved that the communication be printed in the Journal.

The motion prevailed by the following vote:

Yeas—20

Aikin	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Hill	Smith
Isbell	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	York

Nays—5

Brownlee	Martin
Hazlewood	Winfield
Kelley	

Absent

Beck	Vick
Shivers	Weinert

Absent—Excused

Graves Spears

Senate Resolution 167

Senator Moore offered the following resolution:

Whereas, There is now pending before the Ways and Means Committee of the House of Representatives of the Congress of the United States a proposed measure which would deprive the citizens of Texas of their rights under the community property laws of this State as applied to their income tax returns and payments; and

Whereas, Insofar as income tax payments are concerned, such measure has the effect of repealing, nullifying and destroying the Texas community property law provided for in the State Constitution and heretofore assumed to have been adequately safeguarded against Federal encroachment and nullification under terms of Texas entrance into the Union; now, therefore, be it

Resolved by the Senate of Texas, That each Member of the Texas delegation in the House of Representatives of the Congress of the

United States and in the Senate of the United States be urged to use his best efforts against the passage of any such measure to the end that the people of Texas may be protected in the property rights under which this and other states have lived for so many years; and be it further

Resolved, That a copy of this resolution be sent to each of the Representatives from the State of Texas in the Congress of the United States and to the two United States Senators from Texas, to the Vice-President of the United States, and to the Speaker of the House of Representatives of the Congress of the United States.

The resolution was read, and by unanimous consent, it was considered and adopted at this time.

Report of Conference Committee on House Bill 272 Adopted

Senator Aikin called for the consideration at this time of the report of the Conference Committee on H. B. No. 272, making appropriations for the State institutions of higher learning for the biennium ending August 31, 1943.

The President laid the report before the Senate.

On motion of Senator Aikin, the report was adopted.

Record of Votes

Senators Lovelady, Winfield, Vick, Smith and Metcalfe asked to be recorded as voting "nay" on the report.

Thanking Watson Flower Shop

On motion of Senator Hill, the thanks of the Senate were extended to Watson's Flower Shop for a wreath of roses presented to the Senate.

Senate Bill 402 Re-referred to Conference Committee

Senator Aikin moved to grant the request of the House that the differences between the two Houses on S. B. No. 402 be re-referred to the Conference Committee for further consideration.

The motion prevailed.

Record of Vote

Senator Moore asked to be recorded as voting "nay" on the motion.

House Bill 627 on Second Reading

On motion of Senator Hill, and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 627 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 627, A bill to be entitled "An Act to amend Section 12 of H. B. No. 821, Chapter 462, page 1144, Regular Session of the Forty-fifth Legislature, as amended by H. B. No. 102, Chapter 41, page 1924, Second Called Session of the Forty-fifth Legislature, as amended by H. B. No. 834, Chapter 1, page 427, Regular Session of the Forty-sixth Legislature, and to add thereto seven new Sections to be known as Sections 23a, 23b, 23c, 23d, 23e, 23f, and 23g; to authorize housing authorities to acquire by the exercise of the power of eminent domain any interest in real property; to create housing authorities for counties; to provide for the creation of regional housing authorities; to authorize the undertaking of housing projects for farmers of low income; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 627 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 627 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Graves	Spears
--------	--------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 268 on Passage to Engrossment

The President laid before the Senate as the unfinished special order on its passage to engrossment (the bill having been read second time on May 27, 1941):

S. B. No. 268, A bill to be entitled "An Act authorizing the State Board of Control, to construct, furnish, equip, operate and maintain a building and to purchase a site therefor, to be leased to the State of Texas and its various agencies, departments and bureaus, now existing or hereafter created, whether partly or wholly supported by the State of Texas, for office purposes, and any part of said building not presently needed for use by the State to be leased to other tenants, authorizing the State Board of Control to issue bonds payable solely from the rentals to be derived from said leases for the purpose of paying the cost of such construction, furnishing and equipment and site, authorizing the State Board of Control to enter into covenants and agreements in that connection, providing remedies in the event of a default in the payment of said bonds, providing that such bonds shall be legal investments for specified institutions and funds in the State of Texas and shall be eligible to secure the deposit of public funds in the State of Texas, exempting such bonds from taxation; and declaring an emergency."

With the following amendment as substituted pending:

Amend S. B. No. 268, by adding the following to be Section 1-A, as follows:

"There is hereby created a Joint Legislative Committee composed of three (3) members from the Senate, to be appointed by the Lieutenant Governor, and three (3) members from the House of Representatives, to be appointed by the Speaker of the House.

This Joint Legislative Committee shall approve all contracts for and incident to the building of said office building and also all contracts for the purchase of sites for said building

and shall approve all contracts for the employment of architects and engineers. The Board of Control is hereby directed that when they advertise for bids they shall submit to said Joint Legislative Committee their recommendations, after which said Joint Legislative Committee shall approve or reject any bids so submitted by the Board of Control incident to said office building or the purchase of sites.

Said Joint Legislative Committee shall from time to time inspect or cause to be inspected any sites considered or shall inspect or cause to be inspected said building during the course of its construction.

Members of said committee shall receive their necessary expenses in carrying out the duties herein imposed on said committee."

Question—Shall the amendment as substituted be adopted?

House Bill 502 on Second Reading

On motion of Senator Formby, and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 502 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 502, A bill to be entitled "An Act to amend S. B. No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasium, stadia, or other recreational facilities, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate the same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city; but solely a charge upon the property so encumbered; providing that no election

for the issuance of such bonds shall be necessary; providing that such project shall be deemed self-liquidating in character; providing that such bonds may be authorized by a majority vote of the boards of trustees of such school districts or the governing bodies of any such cities; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project; providing that such bonds shall be payable from the net revenues of the project, together with all future extensions or additions thereto, or replacements thereof; providing for the payment of said bonds; providing that the holder of said bonds shall never have the right to demand payment thereof out of any funds raised or to be raised by taxation; providing that said bonds shall be approved by the Attorney General and registered by the State Comptroller; providing that no bonds authorized shall be issued or executed after the expiration of two (2) years from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating Acts heretofore performed by school districts; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 502 on Third Reading

Senator Formby moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 502 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Graves

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Graves

Spears

Reports of Standing Committees

Senator Sulak, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 166, A bill to be entitled "An Act to amend Articles 4557, 4558, 4559, 4561, 4562, Title 71, of the Revised Civil Statutes of Texas, 1925, requiring all persons desiring to practice optometry in Texas to pass an examination; repealing all laws or parts of laws in conflict with this Act; declaring that the remainder of this Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment No. 1 and that it be mimeographed and not otherwise printed.

SULAK, Chairman.

Senator Spears, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 372, A bill to be entitled "An Act relating to the payment of the prevailing rate of wages on public works; defining certain terms as used in this Act; providing the general rate of wages shall be paid; providing for predetermination of the prevailing rate of wages; requiring a public body to pay the prevailing rate of wages on any works constructed, repaired, or improved by its own forces; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Senator Weinert, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 16, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1064, A bill to be entitled "An Act to amend Section 2 of Chapter 11 of Subdivision III, Water Improvement Districts, Acts of the Forty-sixth Legislature, Regular Session, H. B. No. 594, approved April 18, 1939, and effective the same date, so as to provide for dividing water improvement districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, when such districts are operated under contract with the Department of the Interior of the Government of the United States, into divisions for the election of Directors thereof; validating and confirming all orders heretofore made by the Board of Directors, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Adjournment

On motion of Senator Lemens, the Senate, at 12:05 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

SEVENTY-EIGHTH DAY

(Tuesday, June 17, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Cotten	Shivers
Fain	Smith
Formby	Spears
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Graves Hill

A quorum was announced present.

The invocation was offered by Rev. S. B. Culpepper, Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Sulak.

Senator Graves was granted leave of absence for today on account of important business, on motion of Senator Mauritz.